

REMARKS

Applicants would like to thank the Examiner for the courteous telephone call extended to Mr. Stephen Beuerle on October 9, 2007 and the courteous telephone calls with Mr. Stephen Beuerle the week of December 17-21.

During the October 9, 2007 telephone call with the Examiner, the Examiner indicated that the present amendments should put the application in condition for allowance. The present amendments were submitted on October 19, 2007 in the form of an Amendment after final office action. An Advisory Action was issued on November 29, 2007 indicating that the amendments to the claims do not have support in the specification.

Mr. Stephen Beuerle and the Examiner had a number of telephone calls the week of December 17-21 to discuss the Advisory Action since it did not conform with the agreement reached in the October 19, 2007 telephone call. The Examiner indicated that the new position set forth in the Advisory Action related to a position set forth by the Primary Examiner working with the Examiner on this application and the Examiner would try to get in touch with the Primary Examiner to get more details on the basis for this new position. The Examiner attempted to communicate with the Primary Examiner during the week of December 17-21, but due to the upcoming holidays, the Examiner was not able to communicate with the Primary Examiner on this issue. The Examiner instructed Mr. Stephen Beuerle to resubmit the October 19, 2007 Amendment after final office action, and the Examiner would call Mr. Stephen Beuerle (619-515-3267) when he received the Amendment and had a chance to talk with his Primary Examiner.

Accordingly, claims 2, 4, 5, 11, 12, 16, 18, 20, and 21 are pending in the present application. Claims 2, 4, 5, 11, 12, 16, 18, 20, and 21 stand rejected under 35 U.S.C. 112, first paragraph, and claims 1, 3, 6-10, 13-15, 17, 19, and 22-24 stand rejected under 35 U.S.C. 103(a). Claims 2, 4, 5, 11, 12, 16, 18, and 20 have been amended. Claims 1, 3, 6-10, 13-15, 17, 19, and 22-24 have been cancelled.

Reconsideration and allowance of pending claims 2, 4, 5, 11, 12, 16, 18, 20, and 21 is respectfully requested in view of the amendments and the following remarks.

35 U.S.C. §112, first paragraph (Claims 2, 4, 5, 11, 12, 16, 18, 20, 21)

In regard to this rejection, pursuant to the telephone call with Mr. Stephen Beuerle on October 9, 2007, the specification and claims have been amended accordingly.

35 U.S.C. §103(a) Yamamoto/Lee (Claims 1, 3, 6, 8, 10, 13, 15, 17, 22, 24)

In regard to this rejection, the relevant claims have been cancelled, making this rejection moot. Accordingly, Applicants respectfully request that this rejection be withdrawn.

35 U.S.C. §103(a) Yamamoto/Lee/Lonka (Claims 7, 9, 14, 19, 23)

In regard to this rejection, the relevant claims have been cancelled, making this rejection moot. Accordingly, Applicants respectfully request that this rejection be withdrawn.

November 29, 2007 Advisory Action:

In regard to the November 29, 2007 Advisory Action, as indicated above, Mr. Stephen Beuerle and the Examiner communicated numerous times during the week of December 17-21 to get clarification on the following basis set forth in the advisory action, "the limitations added to the dependent claims 2, 4, 5, 11, 12, 16, 18, and 20 to change the independent forms that change claim scope and claim limitation since the claimed limitations do not support in the previous specification" since it did not conform with the agreement reached in the October 19, 2007 telephone call. The Examiner indicated that the new position set forth in the Advisory Action related to a position set forth by the Primary Examiner working with the Examiner on this application and the Examiner would try to get in touch with the Primary Examiner to get more details on the basis for this new position. The Examiner attempted to communicate with the Primary Examiner during the week of December 17-21, but due to the upcoming holidays, the Examiner was not able to communicate with the Primary Examiner on this issue. The Examiner instructed Mr. Stephen Beuerle to resubmit the October 19, 2007 Amendment after final office action, and the Examiner would call Mr. Stephen Beuerle (619-515-3267) when he received the Amendment and had a chance to talk with his Primary Examiner. Applicants respectfully submit that the original specification and drawings provide proper support for all of the limitations in the claims, as evidenced by the agreement reached on the amendments to the specification and claims in the October 19, 2007 telephone call.

CONCLUSION

For all the foregoing reasons, allowance of pending claims 2, 4, 5, 11, 12, 16, 18, 20, and 21 is respectfully requested. Applicants respectfully do not acquiesce to any of the positions set forth in the Office Action(s) and Advisory Action. If necessary, Applicants request, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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